

# **EXHIBIT A**

FILED  
8/10/2018 12:51 PM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2018L008659

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**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - LAW DIVISION**

LISETTE FAVELA; and  
MIGUEL ESPINO,

Plaintiffs,

v.

AEROVIAS DE MEXICO S.A. DE C.V.  
(INC.), a foreign corporation, d/b/a  
AEROMEXICO; and AEROLITORAL SA DE  
CV, a foreign corporation, d/b/a  
AEROMEXICO CONNECT,

Defendants.

No.

2018L008659

**PLAINTIFFS DEMAND TRIAL BY JURY**

**COMPLAINT AT LAW**

Plaintiffs, LISETTE FAVELA and MIGUEL ESPINO, by and through their attorneys,  
CORBOY & DEMETRIO, P.C., complaining of Defendants, AEROVIAS DE MEXICO S.A.  
DE C.V. (INC.), a foreign corporation, d/b/a AEROMEXICO (hereinafter "AEROMEXICO"),  
and AEROLITORAL SA DE CV, a foreign corporation, d/b/a AEROMEXICO CONNECT  
(hereinafter "AEROMEXICO CONNECT"), state as follows:

**COUNT I**

(Aviation Negligence - Personal Injury - FAVELA)

1. On and before July 31, 2018, AEROMEXICO was a foreign air carrier operating  
in the United States under Federal Aviation Regulation Part 129 with Federal Aviation  
Administration Certificate Number ASMF152F.

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2. On and before July 31, 2018, AEROMEXICO CONNECT was a foreign air carrier operating in the United States under Federal Aviation Regulation Part 129 with Federal Aviation Administration Certificate Number LVQF318F.

3. On and before July 31, 2018, AEROMEXICO was a corporation licensed and doing business in Cook County, Illinois, and specifically engaged in the ownership, maintenance, control and operation of a commercial airline and jetliners out of O'Hare International Airport.

4. On and before July 31, 2018, AEROMEXICO CONNECT was a corporation doing business in Cook County, Illinois, and specifically engaged in the ownership, maintenance, control and operation of a commercial airline and jetliners out of O'Hare International Airport.

5. On and before July 31, 2018, Plaintiff, LISETTE FAVELA, was an Illinois resident who purchased tickets from AEROMEXICO for commercial air transportation from Illinois to, around, and back from Mexico.

6. On and before July 31, 2018, AEROMEXICO issued and delivered tickets to Plaintiff, LISETTE FAVELA, for commercial air transportation from Illinois to, around, and back from Mexico, including aboard Flight 2431 departing Durango International Airport for Mexico City International Airport.

7. On July 31, 2018, Plaintiff, LISETTE FAVELA, was a passenger aboard Flight 2431.

8. On July 31, 2018, Flight 2431 crashed during an attempted takeoff from Durango International Airport.

9. On July 31, 2018, AEROMEXICO piloted and was in operational control of Flight 2431 before and at the time that it crashed.

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10. On July 31, 2018, AEROMEXICO CONNECT piloted and was in operational control of Flight 2431 before and at the time that it crashed.

11. On July 31, 2018, AEROMEXICO and AEROMEXICO CONNECT, by and through their collective partnership and/or joint enterprise, and each of them, were negligent in one or more of the following respects:

- a. Failed to execute a proper takeoff maneuver;
- b. Failed to obtain sufficient runway speed during takeoff;
- c. Failed to obtain sufficient airspeed upon takeoff;
- d. Failed to obtain proper pitch, yaw and attitude during takeoff;
- e. Attempted a takeoff maneuver in unsafe wind conditions;
- f. Failed to adequately monitor wind conditions prior to takeoff;
- g. Failed to properly correct for wind conditions during takeoff; and
- h. Failed to maintain safe and proper operational control of its aircraft at all times to avoid a mishap.

12. As a proximate result of one or more of the aforesaid negligent acts and/or omissions, LISETTE FAVELA suffered injuries of a personal and pecuniary nature.

WHEREFORE, Plaintiff, LISETTE FAVELA, demands judgment against Defendants, AEROVIAS DE MEXICO S.A. DE C.V. (INC.), a foreign corporation, d/b/a AEROMEXICO, and AEROLITORAL SA DE CV, a foreign corporation, d/b/a AEROMEXICO CONNECT, for a sum in excess of the jurisdictional limits of the Law Division of the Circuit Court of Cook County, Illinois.



**COUNT II**

**(Aviation Negligence - Loss of Consortium - ESPINO)**

1. On and before July 31, 2018, AEROMEXICO was a foreign air carrier operating in the United States under Federal Aviation Regulation Part 129 with Federal Aviation Administration Certificate Number ASMF152F.

2. On and before July 31, 2018, AEROMEXICO CONNECT was a foreign air carrier operating in the United States under Federal Aviation Regulation Part 129 with Federal Aviation Administration Certificate Number LVQF318F.

3. On and before July 31, 2018, AEROMEXICO was a corporation licensed and doing business in Cook County, Illinois, and specifically engaged in the ownership, maintenance, control and operation of a commercial airline and jetliners out of O'Hare International Airport.

4. On and before July 31, 2018, AEROMEXICO CONNECT was a corporation doing business in Cook County, Illinois, and specifically engaged in the ownership, maintenance, control and operation of a commercial airline and jetliners out of O'Hare International Airport.

5. On and before July 31, 2018, Lisette Favela was an Illinois resident who purchased tickets from AEROMEXICO for commercial air transportation from Illinois to, around, and back from Mexico.

6. On and before July 31, 2018, AEROMEXICO issued and delivered tickets to Lisette Favela for commercial air transportation from Illinois to, around, and back from Mexico, including aboard Flight 2431 departing Durango International Airport for Mexico City International Airport.

7. On July 31, 2018, Lisette Favela was a passenger aboard Flight 2431.

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8. On July 31, 2018, Flight 2431 crashed during an attempted takeoff from Durango International Airport.

9. On July 31, 2018, AEROMEXICO piloted and was in operational control of Flight 2431 before and at the time that it crashed.

10. On July 31, 2018, AEROMEXICO CONNECT piloted and was in operational control of Flight 2431 before and at the time that it crashed.

11. On July 31, 2018, AEROMEXICO and AEROMEXICO CONNECT, by and through their collective partnership and/or joint enterprise, and each of them, were negligent in one or more of the following respects:

- a. Failed to execute a proper takeoff maneuver;
- b. Failed to obtain sufficient runway speed during takeoff;
- c. Failed to obtain sufficient airspeed upon takeoff;
- d. Failed to obtain proper pitch, yaw and attitude during takeoff;
- e. Attempted a takeoff maneuver in unsafe wind conditions;
- f. Failed to adequately monitor wind conditions prior to takeoff;
- g. Failed to properly correct for wind conditions during takeoff; and
- h. Failed to maintain safe and proper operational control of its aircraft at all times to avoid a mishap.

12. As a proximate result of one or more of the aforesaid negligent acts and/or omissions, Lisette Favela suffered injuries of a personal and pecuniary nature.

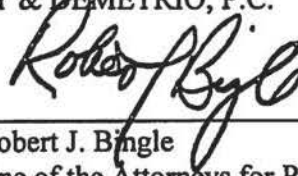
13. Before, on and after July 31, 2018, MIGUEL ESPINO was and continues to be the lawful spouse of Lisette Favela.

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14. As a proximate result of one or more of the aforesaid negligent acts and/or omissions, MIGUEL ESPINO suffered and continues to suffer the loss of consortium of his spouse, Lisette Favela.

WHEREFORE, Plaintiff, MIGUEL ESPINO, demands judgment against Defendants, AEROVIAS DE MEXICO S.A. DE C.V. (INC.), a foreign corporation, d/b/a AEROMEXICO, and AEROLITORAL SA DE CV, a foreign corporation, d/b/a AEROMEXICO CONNECT, for a sum in excess of the jurisdictional limits of the Law Division of the Circuit Court of Cook County, Illinois.

CORBOY & DEMETRIO, P.C.



By: Robert J. Bingle  
One of the Attorneys for Plaintiffs

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COUNTY DEPARTMENT - LAW DIVISION

LISETTE FAVELA; and  
MIGUEL ESPINO,

Plaintiffs,

v.

AEROVIAS DE MEXICO S.A. DE C.V. (INC.),  
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AEROLITORAL SA DE CV, a foreign  
corporation, d/b/a AEROMEXICO CONNECT,

Defendants.

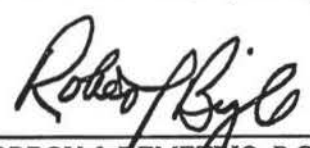
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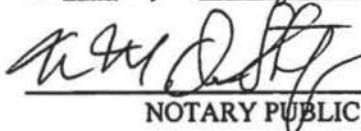
**AFFIDAVIT**

I, DANIEL S. KIRSCHNER, state under oath:

1. I am an attorney associated with Corboy & Demetrio, P.C. and am responsible for filing of the Complaint at Law in this matter.
2. The total of money damages sought by plaintiffs does exceed \$50,000.00, exclusive of interest and costs.

  
CORBOY & DEMETRIO, P.C.  
By: Robert J. Bingle

SUBSCRIBED and SWORN to before me  
this 18 day of August, 2018.

  
NOTARY PUBLIC



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Daniel S. Kirschner  
Corboy & Demetrio, P.C.  
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